

**REAL ESTATE BOARD  
MINUTES  
MADISON, WISCONSIN  
MARCH 22, 2001**

**PRESENT:** James R. Imhoff, Richard Hinsman, Bettye Lawrence, Richard Kollmansberger; Harold Lee and Jerome Nelson, by teleconference

**EXCUSED:** Nancy Gerrard

**STAFF PRESENT:** Cletus Hansen, William Black, Legal Counsel, Becky Fry; Division of Enforcement staff were present for portions of the meeting.

**GUESTS:** Rick Staff, WRA

**CALL TO ORDER**

The meeting was called to order at 10:35 a.m. by Jim Imhoff, Chair, upon confirmation that the public notice was timely given. A quorum of six members was present.

**AGENDA**

**MOTION:** Bettye Lawrence moved, seconded by Richard Hinsman, to adopt the agenda as amended. Motion carried unanimously.

**MINUTES (02/22/01)**

**MOTION:** Richard Kollmansberger moved, seconded by Bettye Lawrence, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**William Conway, Acting Secretary**

Acting Secretary Conway welcomed the Board and indicated that information relating to the appointment of a new Secretary should be available next week.

**Clete Hansen**

- **Board Roster**

The Board received a copy of the March 2001 roster. Minor corrections were noted.

- **Meeting Dates for 2001**

The Board received a copy of the meeting dates for 2001. Noted.

- **Screening Statistics**

The Board received a copy of the February 22, 2001, screening statistics. Noted.

- **To-Pass Folder**

The To-Pass Folder was circulated and duly noted.

## **LEGISLATION**

### **Update Regarding Bills and Proposals**

Rick Staff indicated that a substantial E-commerce provision would be included in the Budget Bill that would recognize the use of electronic signatures. He suggested the creation of language in the rules regarding requirements for signatures, as a future agenda item.

## **DISCIPLINARY ALTERNATIVES**

The Board received a copy of Williams Black's March 22, 2001, memo relating to disciplinary options that can be used by the Real Estate Board. Mr. Black reviewed the options available to the Board.

## **ADMINISTRATIVE RULES**

### **Supervision of Employees**

The Board received and reviewed Clete Hansen's March 21, 2001, memo summarizing the Meeting Regarding Supervision of Real Estate Employees, attended by Jim Imhoff, William Black, Rick Staff and Clete Hansen and the draft of a scope statement to amend administrative rules relating to the employment and supervision of licensed employees by real estate broker-employers. Mr. Hansen indicated that Rick Staff had informed those attending the meeting that the Wisconsin Realtors Association would be attempting to amend the Governor's Budget Bill to try to eliminate provisions on full-time branch office managers.

Division of Enforcement staff reviewed the February 8, 2001, memo regarding recommendations from the auditors relating to Statement #55 of the American Institute of Certified Public Accountants (AICPA) and defining and segregating responsibilities and internal control.

## **NEW BUSINESS**

Nothing to discuss.

## **MISCELLANEOUS CORRESPONDENCE**

The Board received a copy of the article “Flip! Not Just Another 4-Letter Word,” from the March 2001 issue of the Oregon Real Estate News-Journal. Noted.

The Board received the March 6, 2001, letter from Tracy Rucka, Staff Attorney, Wisconsin Realtors Association, and the March 9, 2001, response from Clete Hansen, relating to the clarification of issues relating to the licensure of business entities, business representatives, employees and personal assistants. Noted.

### **PUBLIC COMMENT**

None.

### **PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF ENFORCEMENT**

DOE staff presented the stipulations relating to Gregory Slapek (LaCrosse, WI) and Grant R. Wood, (Appleton, WI). The Board will discuss these stipulations in Closed Session and will vote on them after Closed Session.

### **RECESS TO CLOSED SESSION**

**MOTION:** Bettye Lawrence moved, seconded by Richard Kollmansberger, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(a), (b), and (f), Wis. Stats., to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, administrative warnings, stipulations, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, and disciplinary proceedings. Motion carried unanimously by a roll call vote: Richard Hinsman-yes; Richard Kollmansberger-yes; Bettye J. Lawrence-yes; Harold Lee-yes; Jerome M. Nelson-yes; James R. Imhoff-yes. Motion carried unanimously.

Open Session recessed at 11:52 a.m.

The Board received a copy of the Division of Enforcement Case Status Report.

The Board deliberated on stipulations, monitoring reports, case closings, and administrative warnings

Final voting on these issues was conducted in Open Session.

### **RECONVENE IN OPEN SESSION**

**MOTION:** Jerome Nelson moved, seconded by Richard Hinsman, to adjourn the Closed Session and to reconvene in Open Session at 12:00 p.m. Motion carried unanimously.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

### **CASE CLOSINGS**

**MOTION:** Richard Kollmansberger moved, seconded by Bettye Lawrence, to close the following cases presented by the Division of Enforcement for closing. Motion carried unanimously.

98 REB 132 P1  
99 REB 274 No violation  
00 REB 052 P1  
98 REB 105 P1  
99 REB 303 Insufficient evidence  
00 REB 104 P2  
00 REB 252 Insufficient evidence

### **ADMINISTRATIVE WARNINGS**

#### **Gail S. Kapellen (Plymouth, WI)**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, to issue an administrative warning to Gail S. Kapellen. Motion carried unanimously.

#### **Steven J. Hamer (Kohler, WI)**

**MOTION:** Richard Hinsman moved, seconded by Richard Kollmansberger, to issue an administrative warning to Steven J. Hamer. Motion carried unanimously.

### **STIPULATIONS**

#### **Gregory Slapek (LaCrosse, WI)**

**MOTION:** Bettye Lawrence moved, seconded by Richard Hinsman, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the disciplinary matter involving Gregory Slapek. Motion carried unanimously.

#### **Grant R. Wood (Appleton, WI)**

**MOTION:** Richard Kollmansberger moved, seconded by Jerome Nelson, to accept the Stipulation, Findings of Fact, and Conclusions of Law and Order in the

disciplinary matter involving Grant R. Wood. Motion carried unanimously.

### **MONITORING REPORT**

#### **Matthew S. Steele**

**MOTION:** Bettye Lawrence moved, seconded by Richard Kollmansberger, to grant full licensure to Matthew S. Steele. Motion carried unanimously.

#### **Douglas A. Ferris**

**MOTION:** Hal Lee moved, seconded by Richard Hinsman, to approve the request to extend the time to fulfill the education requirements to June 30, 2001, for Douglas A. Ferris. Motion carried unanimously.

By consensus the meeting adjourned at 12:04 p.m.